ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

In compliance with state and federal laws and in order to create an educational environment where students with disabilities have equal access to instruction without compromising any course, educational program or degree, the procedures outlined below have been developed.

SECTION I: ACADEMIC ADJUSTMENT PROCEDURES

1. The student bears the responsibility of presenting their verification of disability to the ADA/504 Coordinator, the faculty, or to the Disabled Students Programs and Services (DSP&S) professional before an academic accommodation authorization will be granted.

2. If the student does not have appropriate verification of disability, a request to the appropriate licensed/certificated professional will be required. If an assessment is within the scope of DSP&S, the necessary assessment may be provided by the DSP&S professional staff.

3. Through an interactive process the DSP&S professional who meets the standards established by State regulations, will verify, assess and document the extent and the effects of the current disability. Depending on the severity and educationally related functional limitations of the assessed disability, the DSP&S professional shall recommend accommodation(s). The student must request the authorized accommodation(s) from his/her instructors allowing them adequate time to provide for the accommodation(s).

SECTION II: INFORMATION RESOLUTION

1. The college is charged with determining and providing what it believes to be the appropriate academic adjustment for a student. A student who disagrees with the academic accommodation(s) prescribed by DSP&S should discuss his/her concern with the DSP&S professional recommending the adjustment. If the student’s concern continues to be unresolved, the student should discuss his/her concern with the DSP&S Coordinator. If the concern continues to be unresolved, the next step is to contact the *ADA/504 Coordinator as outlined in # 3 below. However, the student may start this process by contacting the ADA/504 Coordinator at any time.

2. If an instructor has questions about an accommodation requested by a student with a verified disability, the instructor and/or student should promptly contact the appropriate DSP&S professional. Informal meetings and discussion among the instructor, department chair or designee, the student, the appropriate members of DSP&S and/or other appropriate members of the college community are essential at the outset, and will be completed within ten (10) instruction days following the request for the accommodation.

3. If no informal resolution can be found within ten (10) instruction days and the accommodation is not allowed, the DSP&S professional, student or the instructor will refer
the matter to the ADA/504 Coordinator for review. The ADA/504 Coordinator will make a decision regarding the accommodation within ten (10) instruction days of having received the matter.

4. If either the instructor or the student disagrees with the decision, they will notify the ADA/504 Coordinator in writing within ten (10) instruction days. The ADA/504 Coordinator will then proceed with the Academic Adjustment Hearing process (See Section IV).

5. The accommodation originally authorized by DSP&S will be allowed for a maximum of three (3) instructional weeks during which time a resolution will be achieved. If the decision of the committee is that the original accommodation is not reasonable, the accommodation will either be modified or rescinded depending upon the Academic Adjustment Hearing Committee’s recommendations.

SECTION III: COURSE SUBSTITUTIONS BASED UPON DISABILITY

If the student and the academic department mutually agree upon a course substitution, as an accommodation, and the proposed course substitution meets the requirement of comparable concept mastery, Admissions and Records will be notified.

COURSE SUBSTITUTION BASED UPON DISABILITY APPEAL PROCESS

If the academic department has denied a student’s request for course substitution, the following steps must be completed:

A. The student must file a written, formal request for course substitution with DSP&S. This request must be received prior to enrolling in the student’s final semester. Any course substitution will occur in a subsequent semester; therefore, the course substitution request must be submitted by census date of the prior semester.

B. A preliminary review of the student’s disability-related need for a course substitution will be made taking into account the individual needs of the student. This review must be conducted by a team of appropriate professionals within DSP&S, including the DSP&S Coordinator. The original course substitution documentation and any additional supporting documentation to indicate that the student meets all standardized criteria established by Title 5 and the Chancellor’s Office relevant to the student’s disability must be demonstrated to the DSP&S office in order to proceed with a formal request (California Code of Regulations of Subchapter 1 of Chapter 7 of Division (of Title 5)).

C. If the DSP&S professional(s) determine(s) that the above requirements are met, within ten (10) instruction days, they will develop recommendations for the student by addressing the student’s particular disability, immediate and future educational and career goals, and how this particular course substitution will affect any prerequisite, graduation or transfer requirements detailed by this educational plan. DSP&S will present the educational plan in writing to an ad hoc committee consisting of the following:

   a. The DSP&S Coordinator or designee
   b. The DSP&S professional recommending the adjustment
   c. The appropriate Department Chairperson, and
d. The Chair of the Curriculum Committee (or designee)

Additional representatives may be added, if members of this committee deem it necessary. Within ten (10) instruction days of the referral from DSP&S, this committee will determine if the requested substitution constitutes a fundamental alteration of the educational program. The committee will develop and submit to the student a written decision addressing the course substitution as it is to be implemented or the reasons for denial of the request. The educational plan developed and approved by the ad hoc committee becomes effective immediately and will be coordinated and implemented by DSP&S. The Coordinator of DSP&S or his/her designee will ensure that the provisions of the educational plan are followed. If in the opinion of the DSP&S professional, the content course cannot be completed successfully with academic adjustment or accommodation, the committee will consider course substitution or waiver as the only remedy. If the ad hoc committee cannot reach consensus, then the matter will be referred to the ADA/504 Coordinator to review and begin the Academic Adjustment Hearing Process within ten (10) instruction days.

D. Any course substitution provided for students determined to require such an academic adjustment should guarantee that any grade assigned to these students is based on their ability to demonstrate comparable concept mastery to that of other students enrolled in the course being replaced. For this reason, special project courses or others designed by the department may be assigned as the appropriate substitution courses and should incorporate those essential concepts as identified in the course outline of record for the course being replaced.

E. If the substituted course is required for transfer, and the student plans to transfer, the student is responsible for contacting the transferring institution regarding the acceptability of the substitution. South Orange County Community College District students will be informed in writing that a substitution granted by either Saddleback College or Irvine Valley College may not be recognized by a subsequent educational institution.

SECTION IV: ACADEMIC ADJUSTMENT HEARING PROCESS

Students or instructors wishing to appeal a decision made by the ADA/504 Coordinator at the conclusion of the informal resolution process, or a decision made by the ad hoc committee or course substitutions mentioned in item C above will file a formal written request for a hearing with Saddleback or Irvine Valley College’s Vice President of Student Services.

The ADA/504 Coordinator is responsible for informing the complainant of his/her rights, responsibilities and procedures.

1. An Academic Adjustment Hearing Committee will be convened by the ADA/504 Coordinator to review the complaint. The committee will be comprised of the following voting members:

   a. The ADA/504 Coordinator
   b. The DSP&S Coordinator
   c. The Vice President of Instruction or his/her designee
   d. The appropriate Department Chairperson
2. The ADA/504 Coordinator shall serve as Chairperson and will vote only in case of a tie and will be responsible for appointing a secretary or provide for a recording and written minutes.

3. All four (4) voting members, including the chair, shall constitute a quorum by which the hearing may proceed.

4. Both parties have the right to present witnesses, testimony, and evidence, but only as related to the case.

5. Both parties have the right to be accompanied by an advocate in the formal appeal hearing. Attorneys are not permitted unless the Committee finds that complex legal issues are raised by the case.

6. The hearing shall be closed to the public.

7. The Committee shall judge the evidence presented and shall render a written decision within ten (10) instruction days following the commencement of the hearing; copies of the findings shall be sent to the College President or designee. The College President will review the decision of the Committee and will either accept or modify the decision.

8. The College President or designee shall inform the committee of his/her final action and will inform the complainant by certified mail, both within ten (10) instruction days of the receipt of the Committee’s findings.

9. Written minutes and a recording of the proceedings shall be kept in a confidential file by the College President or his/her designee, and shall be available to the parties. All documents shall be filed separately from the personnel file of the participants.

10. The College President’s decision shall be the final decision rendered and shall be implemented within ten (10) instruction days.

SECTION V: GENERAL PROVISIONS

1. The time limits specified herein shall be considered maximum and every effort shall be made to expedite the process. Time limits may be extended only by mutual consent of the student and the responsible college party, and must be in writing, dated and signed by those parties directly involved.

2. If any party involved in any part of this review process exceeds a time limit, the matter will be considered resolved at the highest level that was reached in the process.

3. The complainant may withdraw the appeal at any time. However, the same appeal shall not then be filed again by the same complainant.

4. The ADA/504 Coordinator may be consulted by either party regarding any of these procedures at any time.

SECTION VI: OTHER COMPLAINTS

Students wishing to file complaints or grievances based upon discrimination on the basis of disability should contact the college’s ADA/504 Coordinator located on campus. The college’s general grievance process is outlined in both the Saddleback College and Irvine Valley College catalogs under “Grievances.”
*ADA/504 Coordinator Section 504 of Rehabilitation Act 1973

Reference:

Title 5 56032 – 56044,
Sub Chapter 1 of Chapter 7 of California Code Regulations
California Education Code Sections 67310 - 67312, 84850